UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
LIMITED

CEDAW/C/1994/L.1/Add.2
25 January 1994

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION
AGAINST WOMEN
Thirteenth session
17 January-4 February 1994

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS THIRTEENTH SESSION

Draft report

Rapporteur: Ms. Teresita QUINTOS-DELES (Philippines)

Addendum

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Guyana

1. The Committee considered the initial report of Guyana (CEDAW/C/5/Add.63) at its 235th and 239th meetings, on 18 and 20 January 1994 (CEDAW/C/SR.235 and 239).

2. In introducing the report, the representative of Guyana emphasized that the global economic crisis of the 1980s and the concomitant recession had hit her country hard as it was one of the most vulnerable. Forty per cent of the population in the countries of Latin America and the Caribbean were living under conditions of poverty, unable to satisfy basic needs. Owing to their vulnerable position in society, women were more harshly affected by the socio-economic crisis. The fact that poverty affected women more than men was a common phenomenon in the region.

3. As a result of the economic problems, commencing with the oil crisis in the 1970s, the "cooperative socialism" that had been the official policy of Guyana, the country had undergone a critical period, which had led to a continuous breakdown of the basic infrastructure. Growing unemployment and low wages had led to increased internal migration and emigration of men. Female-headed households had increased from 24.4 per cent in 1980, to 29.5 per cent in 1992.

The percentage of permanent female emigrants had also increased in the last years, resulting in a higher number of male-headed single-parent households. The influx of women into the labour force had brought with it the most profound changes in the labour market.

4. Guyana had been rated as one of the poorest countries in the Western hemisphere. The widespread impoverishment of the majority of Guyanese had brought with it a continuous decline in per capita production and real wages while prices of basic commodities were rising; a severe reduction in the quality of the educational system; hunger, malnutrition, homelessness and an increasing number of street children; inadequate housing and a decline in the public health services. As a result of such neglect of the development of human resources, the last few years had witnessed a drastic decrease in life expectancy and a rise in infant mortality.

5. Structural adjustment programmes (SAPs), introduced in response to the economic problems, had brought about new forms of stress, which added to the crisis created by prior mismanagement. Severe shortages in the basic food supply had had an impact on women who were forced to queue up for long hours in order to purchase basic commodities. Cuts in public expenditure had brought about a decline in social services, particularly health and education, as well as in infrastructure, including transportation, water supply and electricity. Women, as primary household managers and income earners, were particularly affected.

1. General observations

6. Members of the Committee welcomed the very candid report, which had been presented with frankness by a high-level political representative. They recalled that Guyana had demonstrated a long commitment to the Convention and was among the first Member States to sign and ratify the Convention without reservation. It had also been the first country of the region to present a candidate for membership of the Committee.

7. Members of the Committee welcomed the political will to implement the Convention, but were aware of the cultural, social and economic constraints to its implementation. Asked whether all the provisions of the Convention were fully implemented in the legislation of the country, the representative explained that certain articles of the Convention were dealt with in statutes, which were enforceable in the courts. There was no tardiness on the part of the Government in reducing discrimination against women, since the 1980 Constitution already contained provisions with respect to equality for women. In 1983 the Children Born out of Wedlock Act was passed, which removed any discrimination against children born out of wedlock. In 1990, the Equal Rights Act was passed by Parliament, giving women the right to seek redress for discriminatory practices on the basis of sex. The implementation of the Convention had improved the status of women generally, raised consciousness about the issue in women's organizations and in male-dominated institutions, and focused attention on the remaining obstacles.

8. Members were interested to learn whether the Convention could be invoked in the event of the violation of women's rights, and what was the relationship between national legislation and the Convention. The representative replied that under the provisions of the law, women in Guyana were given a significant degree of protection. Women's access to the courts was afforded by way of the constitutional and municipal law provisions.

9. Concerning a question about the time-frame of the programme for the advancement of women, the representative replied that a national policy statement on women existed, but that several ongoing programmes for the integration of women in development could not be fully implemented because of economic constraints.

10. Members noted that the report emphasized elimination of de jure discrimination, but that more information was needed on the de facto situation of women. In particular, more statistical data should be provided. They invited the Government, when preparing subsequent reports, to refer to existing norms and facts and to interpret changes that had taken place. That would avoid any contradictions that might appear in the present report. The representative said that her Government was fully aware of the deficiencies in the collection of data and statistics and was searching for assistance from international agencies to remedy the situation.

11. Asked whether NGOs had been consulted when preparing the report, the representative underlined that the Women's Affairs Bureau, as the national machinery, was in direct liaison with women's NGOs, and had been largely responsible for the preparation of the report.

12. Members of the Committee welcomed the clear description of the negative impact of SAPs on women, which illustrated how political and economic change would affect women negatively, if human resources development was not considered. Members asked for further information on actions taken by the Government to mitigate the negative impact of SAPs on women and children. The representative mentioned that, under the Social Impact Amelioration Programme, periodic payments were made to elderly women and pregnant and lactating mothers, for a limited period of time, to cushion the effects of the withdrawal of government subsidies of basic goods. Guyana received assistance from a number of United Nations programmes and specialized agencies and other donors. Seventeen health-care projects had been carried out. However, significant delays in the implementation of projects were experienced, and the Government's capacity to absorb further badly needed assistance was limited by its inability to provide administrative and financial counterparts.

13. Members praised the active role women in Guyana had played in the struggle for independence, which should guarantee them the right to enjoy fundamental rights without conditions. Asked why the basic rights in the Constitution were linked not only to respect for the rights and freedoms of others, but also to respect for the public interest, the representative said that this did not lead to abuse and injustice since the courts, as guardians of the rights of individuals under the Constitution, could be approached by any aggrieved party seeking redress.

2. Questions related to specific articles

Article 2

14. Given the existence of different ethnic and indigenous groups in Guyana, members wanted to know if they had preserved their cultural roots, because culture could be used as a unifying force in development. More information was required on traditional practice and religious traditions, and the way they affected women and undermined the provisions of the Convention. The representative replied that the largest ethnic communities were the East Indians (49.5 per cent) and the Africans (35.6 per cent); the indigenous population of Amerindians made up 6.8 per cent of the population. As a result of the divide-and-rule practice of colonialism, the two major racial groups were divided in the late 1950s and again in the 1960s. Amerindians had originally had their own culture, but the process of socialization had altered some sections of the indigenous people, who had become involved in national life in the field of education, health and training. Under the Constitution, all citizens had the right to practice their customs and religion. Some religious norms were used to keep women down, not giving them the right to chose their husbands and not allowing them into male-dominated religious positions. However, the fundamental problem of male domination over women was inherent to all racial groups.

Article 3

15. Members of the Committee appreciated the appointment of a minister for the advancement of women and requested further information on the mandate of the Minister, the limits imposed on her work and the existence of focal points in the various other ministries. The representative replied that the Ministry of Labour, Human Services, Social Security and Housing had a Senior Minister in charge of Labour and Housing and a Junior Minister responsible for Human Services and Social Security, which included women's affairs as 1 of 11 areas of responsibility. No limits were imposed on the work of the minister. With regard to the national machinery for the advancement of women, the Minister was collaborating on a weekly basis with the administrators of the Women's Affairs Bureau.

Article 4

16. It was asked which temporary measures had been taken to accelerate de facto equality between men and women. Members also inquired about existing programmes to increase the number of women in decision-making positions at all levels.

17. The representative replied that the Women's Affairs Bureau was engaged in project monitoring and the implementation of projects directly targeting women, in particular in the acquisition of skills and education, training in small business management and health.

Article 5

18. Assuming a high incidence of violence against women as in any society, members asked for information on the extent of violence in all its forms, the

measures taken by the Government to eliminate violence, police intervention and court procedures. The representative replied that violence occurred at all levels of society and that about 48 per cent of women had been physically assaulted in 1993. Only recently had women started to report assaults committed against them by their spouses or common-law partners. While arresting the perpetrators, male police very often displayed reluctance to institute charges and considered the assaults a purely domestic matter. Women's organizations had therefore called for female investigators. Refuges and shelters for abused women, as well as a hotline, had been established. A draft Domestic Violence Bill was to be placed before Parliament, following the format of similar bills in other Caribbean countries. The Government and NGOs were planning an education programme to sensitize young people about other forms of conflict resolution, self-esteem and respect for females.

Article 6

19. Members sought more information on prostitution and related activities and wanted to know whether laws and specific programmes had had an impact on reducing the number of prostitutes. The representative stated that the law penalized any male person for knowingly living, wholly or partly, on the earnings of prostitution or soliciting for an immoral purpose. To prevent the increase of prostitution linked to the urban migration of young women, efforts were being made to raise the living standards in rural areas and to encourage them to undertake income-generating activities.

Article 7

20. Noting that the report gave figures on the percentage of women in certain high-level positions, members asked further information on the number of women in middle-level management positions, on women's participation in NGOs, political parties and labour unions. The representative replied that women constituted a small but growing pool of middle- and lower-level managers and that their participation had risen from 14.9 per cent in 1985 to 25.4 per cent in 1993. However, women's representation at the executive level had decreased sharply, from 25.5 per cent to 12.4 per cent during the same period. Only in the low-paying service sector and the teaching professions did women play a significant role in decision-making. Women were active in the trade unions, in both the private and the public sector, holding a few high positions in management and the executive branches. Exclusively female trade union organizations did not exist.

21. She stated that women were a clear minority at the higher echelons of public and political life and were grossly underrepresented in top positions. Female participation in the parliamentary assembly had increased significantly from 14 per cent in 1980 to 22 per cent in 1985, but decreased to 15.7 per cent in 1993 with the change of Government. The imbalance in male-female representation in Parliament was also reflected in the Government, where only two women had been appointed, one as Health Minister and the other as Minister for Labour, Human Services and Social Security. However, in other decision-making positions in the Government, the situation had improved with an increase in the number of permanent secretaries and other high-level positions from 21.4 per cent in 1987 to 33.3 per cent in 1993. At the regional level, the

percentage of female mayors had declined from 40 per cent in 1980 to 20 per cent in 1986 and 16.7 per cent in 1993.

22. As regards women's participation in political parties, she recalled women's historical involvement in political life, especially in the work of parties and during elections. The major problem was that only a few women could attain leadership roles in their parties owing to male competition, lack of assertiveness and their additional burden of child-rearing.

Article 8

23. Members acknowledged the frankness of the part of the report under discussion, but asked for additional explanation about the obstacles that prevented women from participating in decision-making and whether there was actual equality of opportunity for women in access to power in public life. The representative replied that the stereotypical attitudes of women and men inhibited women's access to decision-making positions. As more women entered professional life, that trend would hopefully change.

Article 10

24. Asked for further data on school drop-out rates for girls, the representative stated that only 18.9 per cent of women dropped out at the tertiary level, compared to 81.2 per cent for men. No data were available for drop-out rates at the primary and secondary levels but they would be supplied in the next report. Drop-outs were given a second chance to pursue higher studies. In response to the question of whether the programmes mentioned in the report were aimed at stereotypical vocational skills, she stated that programmes were open to both sexes, but the women opted for traditionally female-oriented programmes of study.

Article 11

25. More information was sought on equal access to training, job segregation, women's employment in health, education and the industrial sector and their contribution to agriculture.

26. The representative said that women had equal access to education and training. Training was an integral part of women's involvement in work. The gender-specific division of labour was linked to the traditional definition of women's economic roles, with the majority of women being employed in the clerical, sales and service sectors. A low percentage of women found employment in the agricultural sector, where women's involvement in household subsistence farming and poultry rearing for additional family income was not taken into account.

27. A high proportion of economically inactive females was involved in domestic duties, but the figure had declined owing to the changing role of women, who needed to supplement family income.

28. Members wished to know if women had equal opportunity with men in obtaining full-time jobs. The representative noted that although women had equal

opportunity with men, they were burdened by child-rearing activities traditionally considered a female responsibility. The lack of child-care facilities affected women's participation in the labour force negatively, in particular if they could not rely on grandparents or elderly relatives. Government and NGOs were providing some day care for children.

29. In reply to the question about equal remuneration for men and women, the representative quoted the 1990 Equal Rights Act, which provided inter alia, that women and men should be paid equal remuneration for the same work or work of the same nature. Although in general women were paid the same as men, in some private sector organizations women with similar qualifications and performing the same tasks were still paid less.

Article 12

30. Members required further information on programmes to combat the AIDS/HIV pandemic and on existing facilities for infected women. The representative underlined that the increase in HIV infection among women far exceeded that of men, although fewer women carried the virus than men. The Government had launched education programmes to combat the spread of AIDS among young people, encouraging the use and acceptance of condoms. Discussions on removing taboos associated with sexual behaviour had taken place. She also reported on efforts being made to end the stigmatization of AIDS victims.

31. As regards the severe problem of anaemia, a very incapacitating illness for women, members wanted to know if female malnutrition resulted from the traditional diet, lack of variety of foods or poverty. Given the decrease in life expectancy, members asked for the common causes of female mortality. The representative stated that high-risk pregnancies, lack of trained medical attendants, malnutrition and abortion were some of the contributing factors. A 50 per cent decrease in government spending on health services had had an impact on the 86 per cent of the population considered to be living under the poverty line, and on women in particular.

32. Concerning family planning, members requested information on the existence of a national family planning programme, on access to special maternity services and on the availability, use and general acceptance of contraceptives. The representative informed the Committee that family planning advice and counselling was conducted at 166 clinics across the country and included the provision of various forms of contraceptives, prenatal and postnatal services, immunizations, pap smears, pregnancy tests, infertility and fertility counselling and treatment. Women, in general, accepted family planning very well. A responsible parenthood organization was conducting educational programmes for young people. The representative also said there was no government policy on family planning owing to the demographic trends of high mortality and emigration in Guyana.

33. On the incidence of abortion, the representative stated that the numbers of illegal abortions was high as abortion was often used as a form of contraception by women having no access to other family planning methods. The highest number of abortions occurred in the 24-29 year age group and among East Indian women,

followed by Black women. There was an ongoing debate on the decriminalization of abortion as proposed in a bill tabled in Parliament.

Article 14

34. Members of the Committee welcomed the policy of decentralization and wished to obtain further information on the involvement of women at the district level. The representative replied that women were generally involved in all sectors of rural life. After the 1992 elections, there had been a resurgence of community development groups, in which women played an important role.

Article 16

35. With regard to reform of the family law, members expressed the opinion that a more comprehensive approach should be preferred to a segmented process of amendment. Harmonization with the rest of the Caribbean countries should be given special attention. The representative agreed and added that the establishment of a family court had been called for by women's organizations over the past decade. She also informed the Committee about the Married Persons Property Amendment Act and the Family Dependants Provision Act passed in 1990, which changed the laws relating to the division of the property of spouses upon the dissolution of marriage or the break-up of a common-law relationship. In reply to a question on the equal division of marital property in case of divorce, she stated that the Married Persons Property Amendment Act made provisions for the services of the wife in the home to be quantified in assessing her contribution to the acquisition of marital property.

36. More information on female-headed households was asked for, in particular on the incidence in different ethnic groups, on their cultural acceptance and government programmes for providing assistance. The representative regretted that no data on female-headed households were available, but promised that the second periodic report would supply that information. Although the incidence of female-headed families was widespread, it was highest among the Afro-Guyanese population.

37. Specific information was sought on the Equal Rights Act that enabled courts to define discrimination and on any instances when the law had been applied. The representative informed the Committee that the Act did not define discrimination and had never been considered in the courts owing to its relatively recent passage. No cases alleging discrimination had been brought up so far.